

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Jason Andrew Palat
Debtor(s)

Bankruptcy Case No.: 17-20925-CMB
Per May 14, 2020 Proceeding
Chapter: 13
Docket No.: 104 – 97, 100
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated March 27, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Ally Bank (Cl. #1) as long term continuing debt; PNC (Cl. #9) with payment changes implemented .
- ☒ H. Additional Terms: No payment to Santander (Cl.#2) as vehicle surrendered.
No Payment to Kubota Credit (Cl.#3, Cl.#4 and Cl.#5) as paid outside by business.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: May 17, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

Imaged Certificate of Notice Page 4 of 5

United States Bankruptcy Court
Western District of PennsylvaniaIn re:
Jason Andrew Palat
DebtorCase No. 17-20925-CMB
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: dric
Form ID: 149Page 1 of 2
Total Noticed: 55

Date Rcvd: May 18, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 20, 2020.

db +Jason Andrew Palat, 812 Hackberry Drive, Monroeville, PA 15146-1120
cr +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
Pittsburgh, PA 15233-1828

14394924 +Allegheny Health Network, 320 East North Avenue, Pittsburgh, PA 15212-4756
14394925 +Allegheny Radiology Associates, 320 East North Street, Pittsburgh, PA 15212-4756
14379230 +Amex, Correspondence, Po Box 981540, El Paso, TX 79998-1540
14379231 +BB&T, Attn: Bankruptcy Department, 6010 Golding Center Drive,
Winston Salem, NC 27103-9815

14395719 +Chrysler Capital, PO Box 961275, Fort Worth, TX 76161-0275
14379235 +Citibank / Sears, Citicorp Credit Services, PO Box 790040, Saint Louis, MO 63179-0040
14379236 +Citibank North America, Centralized Bankruptcy, PO Box 790040, Saint Louis, MO 63179-0040
14379239 +First National Bank Of Pa, 1 Fnb Boulevard, Hermitage, PA 16148-3363
14394926 +Jeannette EMS Inc, 225 South 6th Street, Jeannette, PA 15644-3432
14379244 +Kubota Credit Corporation, 1025 Northbrook Parkway, Suwannee, GA 30024-2967
14412946 +Kubota Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
14379245 +M&T Credit Services, 1100 Worley Drive, Consumer Asset Management, 2nd Floor,
Williamsville, NY 14221

14394927 +Murrysville Medic One, 3237 Sardis Road, Murrysville, PA 15668-1230
14379247 +PNC Bank, Attn: Bankruptcy, 2730 Liberty Avenue, Pittsburgh, PA 15222-4747
14379248 +PNC Bank Credit Card, Po Box 5570, Mailstop BR- YB58-01-5, Cleveland, OH 44101-0570
14652028 +PNC Bank, N.A., PO BOX 94982, Cleveland, OH 44101-4982
14928197 +PNC Bank, National Association, PO Box 94982, Cleveland, OH 44101-4982
14394928 +Persoma PC, 2540 Monroeville Boulevard, Monroeville, PA 15146-2329
14379246 +Pnc Bank, Attn: Bankruptcy, 249 5th Avenue, Suite 30, Pittsburgh, PA 15222-2707
14379249 +Santander Consumer USA, Po Box 961275, Fort Worth, TX 76161-0275
14379254 +Target, C/O Financial & Retail Services, Mailstopn BT, PO Box 9475,
Minneapolis, MN 55440-9475

14662423 +UPMC East, PO Box 1123, Minneapolis MN 55440-1123
14394929 +UPMC Health Services, PO Box 371472, Pittsburgh, PA 15250-7472
14394930 +UPMC Physician Services, PO Box 382046, Pittsburgh, PA 15250-0001
14791379 eCAST Settlement Corporation, PO Box 29262, New York NY 10087-9262

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com May 19 2020 09:13:07
PRA Receivables Management LLC, POB 41067, Norfolk, VA 23541-1067

cr +E-mail/Text: bncmail@w-legal.com May 19 2020 03:35:18 Synchrony Bank,
c/o Weinstein & Riley, P.S., 2001 Western Ave., Suite #400, Seattle, WA 98121-3132

14389184 E-mail/Text: ally@ebn.phinsolutions.com May 19 2020 03:34:40 Ally Bank, PO Box 130424,
Roseville MN 55113-0004

14379229 +E-mail/Text: ally@ebn.phinsolutions.com May 19 2020 03:34:40 Ally Financial,
Po Box 380901, Bloomington, MN 55438-0901

14669915 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM May 19 2020 03:34:52 COMENITY CAPITAL BANK,
C/O Weinstein & Riley P.S., 2001 Western Ave Ste. 400, Seattle, WA 98121-3132

14379232 +E-mail/Text: cms-bk@cms-collect.com May 19 2020 03:34:51 Capital Management Services LP,
698 1/2 South Ogden Street, Buffalo, NY 14206-2317

14379233 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com May 19 2020 03:40:18 Capital One,
Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285

14379237 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM May 19 2020 03:34:52
Comenity Bank / Gander Mountain, Po Box 182125, Columbus, OH 43218-2125

14667042 E-mail/Text: bnc-quantum@quantum3group.com May 19 2020 03:35:00
Department Stores National Bank, c/o Quantum3 Group LLC, PO Box 657,
Kirkland, WA 98083-0657

14379238 +E-mail/Text: mrdiscen@discover.com May 19 2020 03:34:42 Discover Financial, Po Box 3025,
New Albany, OH 43054-3025

14672101 +E-mail/Text: kburkley@bernsteinlaw.com May 19 2020 03:35:25 Duquesne Light Company,
c/o Allison L. Carr,, Bernstein-Burkley, P.C.,, 707 Grant St., Suite 2200, Gulf Tower,,
Pittsburgh, PA 15219-1945

14379240 E-mail/Text: fnb.bk@fnfg.com May 19 2020 03:35:20 First Niagara Bank,
6950 South Transit Road, Lockport, NY 14094

14379241 +E-mail/Text: bankruptcy@huntington.com May 19 2020 03:35:08 Huntington National Bank,
Bankruptcy Notifications, Po Box 340996, Columbus, OH 43234-0996

14379242 +E-mail/Text: Hcabankruptcy-courtntices@hcamerica.com May 19 2020 03:35:27 Hyundai Finance,
Attn: Bankruptcy, Po Box 20809, Fountain City, CA 92728-0809

14379234 E-mail/PDF: ais.chase.ebn@americaninfosource.com May 19 2020 03:40:17 Chase Card,
Attn: Correspondence, Po Box 15298, Wilmington, DE 19850

14379243 +E-mail/Text: bncntices@becket-lee.com May 19 2020 03:34:46 Kohls / Capital One,
Kohls Credit, Po Box 3043, Milwaukee, WI 53201-3043

14663308 +E-mail/Text: bankruptcydpt@mcmcg.com May 19 2020 03:35:09 MIDLAND FUNDING LLC,
PO BOX 2011, WARREN, MI 48090-2011

14737668 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com May 19 2020 09:13:07
Portfolio Recovery Associates, LLC, PO Box 41067, Norfolk, VA 23541

14671926 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com May 19 2020 09:13:07
Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541

District/off: 0315-2

User: dric
Form ID: 149

Page 2 of 2
Total Noticed: 55

Date Rcvd: May 18, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14379595 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com May 19 2020 09:13:07
PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14638809 E-mail/Text: bnc-quantum@quantum3group.com May 19 2020 03:35:00
Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
14953619 +E-mail/Text: bncmail@w-legal.com May 19 2020 03:35:18 SYNCHRONY BANK,
c/o Weinstein & Riley, P.S., 2001 Western Ave, Ste 400, Seattle, WA 98121-3132
14671102 +E-mail/PDF: gecsedirecoverycorp.com May 19 2020 03:40:12 Synchrony Bank,
c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
14379250 +E-mail/PDF: gecsedirecoverycorp.com May 19 2020 03:39:44 Synchrony Bank / Care Credit,
Attn: Bankruptcy, Po Box 956060, Orlando, FL 32896-0001
14379251 +E-mail/PDF: gecsedirecoverycorp.com May 19 2020 03:39:45 Synchrony Bank / Guitar Center,
Po Box 965064, Orlando, FL 32896-5064
14379252 +E-mail/PDF: gecsedirecoverycorp.com May 19 2020 03:39:22 Synchrony Bank / JCPenneys,
Attn: Bankruptcy, Po Box 956060, Orlando, FL 32896-0001
14379253 +E-mail/PDF: gecsedirecoverycorp.com May 19 2020 03:39:44 Synchrony Bank / Lowes,
Attn: Bankruptcy, Po Box 956060, Orlando, FL 32896-0001
14632876 +E-mail/Text: bncmail@w-legal.com May 19 2020 03:35:18 TD BANK USA, N.A.,
C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
TOTAL: 28

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Duquesne Light Company
cr Kubota Credit Corporation
cr* PNC BANK, N.A., P.O. Box 94982, Cleveland, OH 44101-4982
cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
cr* eCAST Settlement Corporation, PO Box 29262, New York, NY 10087-9262
14415238* +Kubota Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
14416887* +Kubota Credit Corporation, PO Box 9013, Addison, Texas 75001-9013

TOTALS: 2, * 5, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 20, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 17, 2020 at the address(es) listed below:

Daniel P. Foster on behalf of Debtor Jason Andrew Palat dan@mrdebttbuster.com,
clarissa@mrdebttbuster.com; fosterlaw@ecf.inforuptcy.com; anne@ecf.inforuptcy.com
James Warmbrodt on behalf of Creditor Kubota Credit Corporation bkgroup@kmlawgroup.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Peter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com,
ckutch@ecf.courtdrive.com; acarr@bernsteinlaw.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
srk@sjwpgh.com; PNGbankruptcy@peoples-gas.com

TOTAL: 6